

MINUTES

**MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION**

CONFERENCE COMMITTEE ON HOUSE AMENDMENTS TO SENATE BILL 252

Call to Order: By **CHAIRMAN EDWARD BUTCHER**, on April 17, 2003 at 9:00 A.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Edward Butcher, Chairman (R)
Rep. John Sinrud, Vice-Chairman (R)
Sen. Corey Stapleton (R)
Sen. Carolyn Squires (D)
Rep. Bernie Olson (R)
Rep. Carol Gibson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Mari Prewett, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 252, 4/15/2003
Executive Action:

SEN. BUTCHER had proposed amendments distributed to the Committee Members for their review, attached as Exhibit 1.

EXHIBIT (cch83sb0252a01)

SEN. BUTCHER stated that the amendments were basically saying that absentee ballots would be sent out subsequent to any federal election. However, prior to each federal election the individuals would have to reapply for an absentee ballot.

SEN. SQUIRES spoke in opposition to the proposed amendments and explained why. She talked about, the history of and the purpose for, the bill. **SEN. SQUIRES** went on to say that the intent of the bill was to provide better access to voting for the elderly and the disabled. She pointed out that the bill would also help those folks that preferred to spend the winter months in a warmer climate. **SEN. SQUIRES** then discussed the double checks in place and the purging system. **SEN. SQUIRES** concluded by saying that she disagreed with having to reapply after every federal election and the changing of the effective date.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 15.5}

SEN. STAPLETON stated that he felt there was some good in the bill and he hoped that they could compromise so that the bill would not die. He went on to say that he could see where there would be a benefit to the seniors and disabled to only have to apply for absentee ballots every couple of years.

REP. A. OLSON asked if there was a problem of file purging if someone did not vote in a federal election. **Elaine Gravely, Secretary of State's Office**, explained that in the past the files had been purged after every federal election, however, now names were put on an inactive list for two federal elections prior to being purged.

SEN. BUTCHER stated that when he ran for re-election there had been one-third more people registered to vote than resided in the County. He went on to say that he felt that voter registration was in a state of total disarray which was the cause of major concern for many.

REP. A. OLSON spoke of an election in Flathead County which resulted in litigation due to the elector files not having been purged. He went on to say that the reason for the amendment regarding the effective date was due to the National Registry for Voter Registration not being available until January 1, 2006. He continued that he felt it made sense for Montana to comply with that date.

REP. GIBSON stated that she had been on the State Administration Committee that had heard the bill and did not think that it needed to be changed. She continued saying that the whole idea of the bill was that the ballots would be sent out automatically. She went on to discuss the convenience of a more permanent absentee ballot list and the purging of those lists.

SEN. BUTCHER remarked that the lists could not be purged without official notification.

SEN. STAPLETON asked **REP. A. OLSON** if he was comfortable with the 2006 effective date and if he was concerned with trying to strike a balance between a permanent and a semi-permanent absentee list.

REP. OLSON replied that the amendments would help to eliminate the possibility of abuse of the system.

Motion: **SEN. BUTCHER** moved that **THE AMENDMENT TO SB 252 BE ADOPTED.**

Discussion:

SEN. BUTCHER explained the benefits of and reasons for his proposed amendments.

{Tape: 1; Side: A; Approx. Time Counter: 15.5 - 28.1}

SEN. SQUIRES stated that the amendment was defeating the purpose of access to some persons to be able to vote. She went on to give several examples of reasons people were not able to get to the polls. She continued, saying that there were people that did not have the ability to get to the Elections Office to register for an absentee ballot. **SEN. SQUIRES** further discussed the persons the bill had been designed to help.

SEN. BUTCHER and **SEN. SQUIRES** further discussed the possibilities of mischief under SB 252.

REP. SINRUD commented on voter fraud and the potential for voter fraud. He stated that he felt that people had the obligation to reapply for an absentee ballot every two years to keep the records accurate.

SEN. SQUIRES further expressed her concerns regarding the amendments and the fears of voter fraud.

REP. SINRUD clarified his statements regarding the potential for voter fraud.

SEN. BUTCHER expressed his concern regarding people voting in more than one county and the difficulty in cross-checking for accuracy.

Vote: Motion that THE AMENDMENT TO SB 252 BE ADOPTED carried 4-2 with SEN. SQUIRES and REP. GIBSON voting no.

Motion/Vote: REP. B. OLSON moved that SB 252 BE ADOPTED AS AMENDED. Motion carried 4-0 with SEN. SQUIRES and REP. GIBSON voting no.

Motion/Vote: SEN. BUTCHER moved TO ADOPT THE COMMITTEE REPORT. Motion carried 4-2 with SEN. SQUIRES and REP. GIBSON voting no.

{Tape: 1; Side: B; Approx. Time Counter: 0 - 12}

ADJOURNMENT

Adjournment: 9:38 A.M.

SEN. EDWARD BUTCHER, Chairman

MARI PREWETT, Secretary

EB/MP

EXHIBIT (cch83sb0252aad)